

# Central Region Review



## U.S. Army Environmental Center Central Regional Office Kansas City, Missouri



★ OCTOBER 1999 ★

★ REGIONS VI & VII ★

*Environmental Legislative Actions, Proposed Rules, Final Rules, Emergency Rules, and Judicial Decisions  
for the States in Federal Regions VI and VII.*

### ASSISTANCE/GUIDANCE INFORMATION

1999 Defense Almanac Now Available on the Web. From 1980 through 1997, Defense magazine printed an annual compendium of DoD facts and figures known as the "Almanac." As part of a broad cost cutting effort to move to a paperless environment, the Defense Reform Initiative of 1997 ended printing of the magazine. On 19 August, a new online Almanac made its debut. Past readers should find this new Almanac even more useful than paper editions of the old magazine, because the Web allows continuous updates of source information. Reference contents include data on DoD organization, money, budget and people. More categories will be added as information becomes available. The 1999 Almanac can be accessed at <http://www.defenselink.mil/>. For further information contact: Jim Garamone, editor; e-mail: [jagaram@hq.afis.osd.mil](mailto:jagaram@hq.afis.osd.mil).

Facility Pollution Prevention (P2) Planning Requirements: An Overview of State Program Evaluations. The National Pollution Prevention Roundtable (NPPR) has released a report entitled "Facility Pollution Prevention Planning Requirements: An Overview of State Program Evaluations." This seminal guide to facility planning is the culmination of 12 months of collaboration by the NPPR facility planning workgroup spanning two national NPPR meetings. It is the first study to document national facility planning requirements and should help guide P2 professionals from the public and private sectors in evaluating P2 plans and planning requirements. The study concluded that, overall, the P2 planning process identified and promoted P2, facilitated improved environmental management, reduced waste generation, and resulted in cost savings. The report also explores other issues the NPPR is working on, including materials accounting for measuring P2 and a comparison of facility planning to the ISO 14000 environmental management system. The report is available on the World Wide Web at <http://www.p2.org/facil-pl.html>.

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Year 2000 (Y2K) Compliant Version of Computer-Aided Management of Emergency Operations (CAMEO) Available. U.S. EPA and the National Oceanic and Atmospheric Administration (NOAA) have released a free, updated version of CAMEO. CAMEO is a set of tools for emergency responders and planners, state, local, and tribal governments, as well as environmental advocates to prepare for and respond to chemical accidents. It also helps local emergency planning committees and tribal emergency response commissions manage information gathered from the Emergency Planning and Community Right-to-Know Act (EPCRA). The updated version includes an expanded chemical database (a thousand new chemicals), improved CAMEO import/export capabilities, and is Y2K compliant. In addition to the software changes, U.S. EPA and NOAA have decided to distribute CAMEO for free rather than charge for this update. One update per person can be received by calling the National Service Center for Environmental Publications at 1(800) 490-9198 and asking for publication number EPA 550-C99-004.

U.S. EPA Sets Up National Drinking Water Contaminant Occurrence Database. As a drinking water public right-to-know initiative, U.S. EPA has set up a National Drinking Water Contaminant Occurrence Database, the first national database to contain information on regulated and unregulated contaminants in public drinking water systems and their source water supplies. Accessible through the Internet at <http://www.epa.gov/ncod/>, the database makes available data not previously accessible to the public about contaminants in drinking water. The database will continue to be upgraded to provide current data. Additional information can be found on U.S. EPA's drinking water web site at <http://www.epa.gov/safewater/>. For further information contact: U.S. EPA's Drinking Water Hotline; 1(800) 426-4791.

U.S. EPA Drinking Water Guidance. On 13 August 1999, U.S. EPA issued guidance to address potential conflicts owners and operators of drinking water treatment systems might encounter in complying with regulations to control microbes and disinfection byproducts. The guidance manual focuses on two rules that are most likely to cause conflict, either with each other, or with other drinking water rules: the disinfection byproduct rule and the interim enhanced surface water treatment rule. According to U.S. EPA, these regulations could conflict because systems will have to increase or upgrade disinfection to reduce the risk of microbial contamination in finished water, while simultaneously minimizing the formation of disinfection byproducts. For example, removal of organic carbon under the disinfectants and disinfection byproducts rule may reduce the chemical stability of the treated water, conflicting with stability requirements of the lead and copper rule, according to U.S. EPA. The Microbial and Disinfection Byproduct Rules Simultaneous Compliance Guidance Manual (EPA 815-R-99-015) is available on the World Wide Web at <http://www.epa.gov/safewater/mdbp/mdbptg.html#simult>.

Questions and Answers on the Chemical Safety Information, Site Security and Fuels Regulatory Relief Act. U.S. EPA has posted new questions and answers on the Chemical Safety Information, Site Security and Fuels Regulatory Relief Act on the World Wide Web. New questions and answers will be added periodically. The document can be downloaded at <http://www.epa.gov/swercepp/pubs/newlawqa.html>. U.S. EPA continues to work with the Federal Bureau of Investigation (FBI) to clarify Section 4 of the law, which concerns public meetings and an address where you can send certification that the meetings have taken place. U.S. EPA and the FBI are working on a fact sheet that will be distributed soon to address these issues. The fact sheet will also include address information for those who must tell U.S. EPA they have shared Offsite Consequence Analysis (OCA) data in an unrestricted manner.

## TRAINING INFORMATION

U.S. EPA Region VI -- Environmental Response Training Program (ERTP). U.S. EPA Region VI will be offering the following upcoming environmental response training courses:

- |  |                                    |
|--|------------------------------------|
| • Introductory Preliminary Assessment Training     | <b>26-27 October 1999</b>          |
| • Introductory Site Inspection Training            | <b>28-29 October 1999</b>          |
| • Environmental Remediation Technologies           | <b>2-4 November 1999</b>           |
| • Risk Assessment Guidance for Superfund           | <b>30 November-3 December 1999</b> |
| • Sampling for Hazardous Materials                 | <b>4-6 January 2000</b>            |
| • Hazardous Materials Incident Response Operations | <b>24-28 January 2000</b>          |
| • Chemical Accident Prevention Auditing            | <b>1-3 February 2000</b>           |

ERTP course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. To register for a class or for more information on courses offered by U.S. EPA Region VI, contact: Keith Reddick; U.S. EPA Region VI; (214) 665-8338; fax (214) 665-7447; e-mail: [redrick.keith@epamail.epa.gov](mailto:redrick.keith@epamail.epa.gov).

U.S. EPA Region VII -- E RTP. U.S. EPA Region VII will be offering the following upcoming environmental response training courses:

- |  |                                    |
|--|------------------------------------|
| • Hazardous Materials Incident Response Operations | <b>29 November-3 December 1999</b> |
| • Air Monitoring for Hazardous Materials           | <b>10-14 January 2000</b>          |
| • Introductory Preliminary Assessment Training     | <b>8-9 February 2000</b>           |
| • Introductory Site Inspection Training            | <b>10-11 February 2000</b>         |
| • Risk Assessment Guidance for Superfund           | <b>15-18 February 2000</b>         |
| • Environmental Remediation Technologies           | <b>29 February-2 March 2000</b>    |

E RTP course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. To get a list of all training opportunities currently available through U.S. EPA Region VII, or for more information on classes, contact: Evelyn VanGoethem; U.S. EPA Region VII; (913) 551-7659; fax (913) 551-7145; e-mail: [vangoethem.evelyn@epa.gov](mailto:vangoethem.evelyn@epa.gov). To register for a class contact: Training Registrar; (513) 251-7776 or (513) 251-7669; fax (513) 251-4137; e-mail: [embryk@tnus.com](mailto:embryk@tnus.com).

U.S. EPA Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Training. U.S. EPA's CERCLA Education Center (CEC) will offer a Federal Facilities Remediation course on **26-28 October 1999** in Washington, DC. Additional CEC course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. For further information contact: U.S. EPA; Technology Innovation Office, CEC; (703) 603-9910; fax (301) 589-8487.

U.S. Army Water and Wastewater System Management Workshop. USAEC, in conjunction with the U.S. Army Corps of Engineers Installation Support Center, will sponsor a water and wastewater system management workshop on **1-4 November 1999** at the Ramada Plaza Hotel in Atlanta, Georgia. The workshop will provide training on several products that have been jointly developed to assist military installations in the management of water and wastewater systems, including water assessment protocol, wastewater assessment protocol, wellhead protection—user guide and model schedule of services, and cross-connection control—user guide and model schedule of services. The workshop is intended for installation personnel who have responsibilities related to the management of water/wastewater systems and/or implementation of wellhead protection or cross-connection control. For further information contact: Johannes (Hans) Graven; RASco, Inc.; (703) 497-2905; e-mail: [RAScoWS@aol.com](mailto:RAScoWS@aol.com).

Kansas and Missouri Environmental Compliance Review and Update. GI will be hosting the Kansas and Missouri Environmental Compliance Review and Update on **2 November 1999** at the Wyndham Garden Hotel in Overland Park, Kansas. Topics covered by the course will include compliance with the major Kansas and Missouri state environmental laws and regulations; protection from liabilities and lawsuits; state and Region VII enforcement priorities and strategies; and the latest developments in air, water, and hazardous waste requirements for facilities operating in Kansas and Missouri. For further information contact: GI; (301) 921-2345; fax (301) 921-0373; e-mail: [giinfo@govinst.com](mailto:giinfo@govinst.com).

Environmental, Health and Safety (EH&S) Audits Course. GI will be offering an environmental, health and safety audits course, "Strategies, Programs and Processes: The How-To's of EH&S Auditing," on **15-17 November 1999** at the Williamsburg Hospitality House in Williamsburg, Virginia. The course will include discussions on: how to design and develop an effective and efficient auditing program, current legal and regulatory requirements for doing audits, what management systems and other tools are needed for an audit, how to write effective reports and conduct successful interviews, the tricks (and traps) to look out for during field evaluations, how to assemble and train your audit team, case studies of successful (and not-so-successful) audit programs in other organizations, and more. For further information contact: GI; (301) 921-2345; fax (301) 921-0373.

## CONFERENCES and SEMINARS

### OCTOBER 1999

Kansas City Metropolitan Green Purchasing Vendor Fair and Workshop. The Kansas City Metropolitan Green Purchasing Fair and Workshop will be held **15 October 1999** at the Downtown Kansas City Airport Rotunda. The event will showcase recycled and environmentally preferable products. It will also include two workshops presented by the Kansas State University Institute of Pollution Prevention – one on life cycle costing and the other on

environmentally preferable products. *For further information contact: Peter Shemitz; (816) 871-3062; e-mail: [Peter.Shemitz@kcmo.org](mailto:Peter.Shemitz@kcmo.org).*

1999 BioCycle Midwest Conference. The 1999 BioCycle Midwest Conference, "Waste Management for the Millennium," will be held **25-27 October 1999** at the Crown Plaza Five Seasons Hotel in Cedar Rapids, Iowa. The conference will be jointly presented by BioCycle Magazine, the Iowa Recycling Association, and the U.S. Navy's Environmental Best Manufacturing Practices Center of Excellence. The Iowa Department of Natural Resources (IDNR) and the Leopold Center for Sustainable Agriculture are co-sponsors of the event. The program features 65 speakers covering topics ranging from composting and recycling to pollution prevention and best manufacturing practices. A full agenda can be found on the Internet at <http://www.jgpress.com/index.html>.

Environment and Property Transfer Conference. The U.S. General Services Administration's (GSA) Office of Property Disposal will host the Environment and Property Transfer Conference on **26 October 1999** at the Holiday Inn Rosslyn Hotel in Arlington, Virginia. The conference will focus on environmental laws and regulations applicable to GSA's real property acceptance and disposal process. It will include a discussion of compliance with laws such as CERCLA, the National Environmental Policy Act, and the National Historic Preservation Act. GSA will also discuss its experience using CERCLA's early transfer authority to expedite the disposal of contaminated properties. *For further information contact: Ms. Cari Garbiso; Tetra Tech EM Inc.; (703) 390-0609.*

Region VII P2 Roundtable. The Region VII P2 Roundtable will be held in conjunction with the BioCycle Midwest Conference on **27-28 October 1999** at the Crown Plaza Five Seasons Hotel in Cedar Rapids, Iowa. Registration for the meeting will take place on Wednesday, 27 October 1999, from 3:30 to 6:00 p.m. The P2 Roundtable Board and Committees will meet from 4:30 to 5:30 p.m. A dinner at the hotel with Board and Committee reports is scheduled for 6:30 to 9:00 p.m. A full program is scheduled for Thursday, 28 October 1999, from 8:00 a.m. to 3:00 p.m. Election of the Board of Officers will take place from 3:15 to 4:00 p.m. and the meeting will conclude at 4:15 p.m. *For further information contact: John Atkinson; (816) 882-8880; fax (816) 882-7584; e-mail: [atkinsonj@missouri.edu](mailto:atkinsonj@missouri.edu).*

## NOVEMBER 1999

U.S. EPA Innovative Clean-Up Approaches Conference. The U.S. EPA Office of Research and Development (ORD) and Technology Innovation Office (TIO) are jointly sponsoring the Innovative Clean-Up Approaches Conference on **2-4 November 1999** at the Indian Lakes Resort in Bloomingdale, Illinois (Chicago Metropolitan Area). The conference theme is "Investments in Technology Development, Results and Outlook for the Future." Through a number of legislative programs and special initiatives, U.S. EPA has invested in the development and implementation of characterization and treatment technologies for hazardous waste site remediation. The Agency has also sponsored and promoted the development, demonstration and commercialization of technologies, both directly and with a number of partners in other federal agencies, academia, and the private sector. The conference will provide an opportunity for stakeholders and partners to share the most recent information about the status of these efforts, evaluate success of past efforts, and discuss future research and information needs. Additional conference information, including the conference program and online registration, is available on U.S. EPA's home page at <http://www.epa.gov/ttnrmrl/>.

The Missouri River Voyage of Recovery Conference. American Rivers will sponsor a two-day conference on **8-9 November 1999** in St. Charles, Missouri (near St. Louis), to link communities preparing for the Lewis and Clark bicentennial with national experts on riverfront revitalization, wildlife habitat restoration, and historic preservation. The conference will also highlight restoration and riverfront revitalization efforts near St. Louis and in other riverside communities, introduce a new Lewis and Clark curriculum to area educators, and create national awareness of local and regional efforts to repair the Missouri River. Highlights of the conference will include comments by Lewis and Clark Historian Stephen Ambrose on the opportunity created by the bicentennial, and the premiere of a Missouri River documentary by the History Channel. Full registration materials for the conference will be available in mid-August. If you would like to receive a registration packet, please e-mail your name, address, and phone number to Kelly Miller at [kmiller@amrivers.org](mailto:kmiller@amrivers.org). Conference information is also available on the World Wide Web at <http://www.americanrivers.org/missouri-conf.html>. *For further information contact: American Rivers; (202) 347-7550; fax (202) 347-9240.*

U.S. EPA WasteWise Program Buy Recycled Satellite Forum. On **9 November 1999**, from 11:00 a.m. to 1:00 p.m. (Eastern Time), the WasteWise program will present a national satellite forum entitled "Buying Recycled: The Real Story About Cost, Availability, and Quality." This free, interactive program is designed to provide businesses,



governments, and other organizations with insights on ways to purchase quality, competitively-priced recycled products. This forum is being presented by U.S. EPA's WasteWise program and the Buy Recycled Business Alliance (BRBA), a partnership of the National Recycling Coalition. The forum will feature Richard Keller, a nationally recognized trainer on buying recycled products with Maryland Environmental Service, and representatives from both the WasteWise and BRBA programs. The satellite program will provide viewers with tips on reviewing product specifications and testing procedures, identifying cost-competitive quality products with recycled content, setting up cooperative purchasing, and exploring the feasibility of closed-loop systems. Panelists will discuss how they went about purchasing commonly used items, such as various paper and office products, as well as less frequently purchased items, including construction/remodeling products, retread tires, plastic lumber, concrete aggregate, asphalt, and compost. Viewers will also have the opportunity to call in with questions. Additional information about the satellite forum is available at U.S. EPA's web site at <http://www.epa.gov/wastewise/wwwsf/>.

1999 Theis Conference. The 1999 Theis Conference, "Remediation of Subsurface Contaminants: The Meaning and Measures of Success," will be presented **12-15 November 1999** at Amelia Island, Florida. The conference is sponsored by the National Ground Water Association (NGWA)/Association of Ground Water Scientists and Engineers (AGWSE). The Theis conference series was established by the AGWSE in 1993 as an important effort in the promotion of hydrogeology. The 1999 conference program will include presentations by invited speakers and interactive discussion sessions surrounding three major themes:

- *Defining and Rationalizing Goals for Success*—The role of science in identifying reasonably attainable goals in the broader discussion of cost versus benefit.
- *Measuring Success*—Approaches and methods of assessing success in the application of subsurface remediation technologies and realistic prognosis for predicting performance.
- *Communicating Success*—An exploration of the ways the results of research and "real-site" technology applications are communicated to the scientific community, industry, and the public.

Conference information is available on the Internet at <http://www.ngwa.org/education/theis.html>. For further information contact: NGWA; (614) 898-7791; toll free (800) 551-7379; fax (614) 898-7786; e-mail: [ngwa@ngwa.org](mailto:ngwa@ngwa.org).

1999 DoD Maintenance Symposium. The 1999 DoD Maintenance Symposium and Exhibition will be held **15-18 November 1999** at the Regal Riverfront Hotel in St. Louis, Missouri. The theme for this year's symposium, which is co-sponsored by the National Defense Industrial Association (NDIA), is "Transforming Maintenance with Technology." This third annual conference is the single opportunity for the entire DoD maintenance community to come together to share information and focus on weapons system and equipment maintenance. Maintenance managers, both military and civilian, from all ranks and Services will be in attendance. They represent the full range of DoD's maintenance operations, including depots, operating commands and units, and research and development activities, along with their commercial industry counterparts. Senior Defense officials and congressional representatives will also attend and participate in the conference. In addition, the DoD Maintenance Awards will be presented to outstanding maintenance units at a special awards banquet held during the symposium. For more information contact: Angie De Kleine; NDIA; fax (703) 522-1885; e-mail: [adekleine@ndia.org](mailto:adekleine@ndia.org).

Wetlands and Remediation: An International Conference. Battelle, a not-for profit organization engaged in technology development, will host an international wetlands remediation conference on **16-17 November 1999** at the Hilton Hotel in Salt Lake City, Utah. The conference will be co-sponsored by DoD's Environmental Security Technology Certification Program (ESTCP) and Strategic Environmental Research and Development Program (SERDP), Parsons Engineering Science, Inc., and NAVFAC, the Navy's integrated natural resources program. The scope of the conference will encompass both the treatment and remediation of contaminated wetlands and the use of wetlands to treat and remediate contaminated water and wastewater. The conference objective is to bring together site managers, scientists, engineers, and regulators involved in this field to help lay the foundation for future progress. Several hundred environmental professionals are expected to attend, and a number of organizations will exhibit their environmental remediation products and services. The technical program will consist of more than 100 platform and poster presentations. For further information contact: The Conference Group; (800) 783-6338 or (614) 424-5461; fax (614) 488-5747; e-mail: [conferencegroup@compuserve.com](mailto:conferencegroup@compuserve.com).

1999 National Pollution Prevention Roundtable (NPPR) Annual Fall Workgroup Conference. The NPPR's fourth annual Fall Workgroup Conference will take place **17-19 November 1999** at the La Fonda Hotel in Santa Fe, New Mexico. The workgroup conference offers NPPR members the opportunity to formulate strategies and address P2 challenges within intimate and interactive sessions, including three plenary sessions and ample breakout time. The Thursday morning plenary will focus on where the P2 movement is headed, and as in years past, the conference will conclude with an information sharing from workgroups on their activities and from the NPPR Board

outlining its plans for the coming year. The NPPR is the largest membership association in the United States dedicated solely to the reduction of pollutants at the source. *For further information contact: NPPR; (202) 466-3908.*

Technical Symposium and Workshop. SERDP and ESTCP will sponsor the Technical Symposium and Workshop, which will be held **30 November-2 December 1999** at the Hyatt Regency Crystal City Hotel in Arlington, Virginia. The symposium will provide the opportunity for networking with more than 500 expected attendees, most notably, leading researchers, regulators, and technology end-users from the environmental community, including government, academia, and private industry. This year's technical program will feature comprehensive sessions that will address cleanup technologies to mitigate the current and future impacts of past activities through remediation; compliance technologies to reduce the impact of current activities; conservation technologies to preserve natural resources while sustaining military operations; and pollution prevention technologies to reduce or eliminate environmental impacts in defense manufacturing through substitution, recycling, and resource conservation. *For updated symposium information, visit the SERDP web site at <http://www.serdp.org/> or the ESTCP web site at <http://www.estcp.org/>, or call (703) 736-4548.*

## DECEMBER 1999

Brownfields '99 – Alliances for 21st Century Livability – Environmental Challenges and Solutions! This year's Brownfields conference will be held **6-8 December 1999** at the Adam's Mark Hotel in Dallas, Texas. Brownfields '99 will pull stakeholders together under one roof. The conference is open to federal, state, and local government officials; local communities; developers; bankers; neighborhood residents; realtors; investors; nonprofits and foundations; insurers; business leaders; environmental consultants; educational leaders; lawyers; lenders; high tech businesses and contractors of all types; tribal officials; researchers; and workforce development specialists, and all others who are interested in the cleanup and redevelopment of brownfields properties. Panels and sessions will be organized around four basic themes: assessment and cleanup strategies that serve as foundations for your successful brownfields reuse; financing mechanisms and tools to help fuel your brownfields redevelopment; new and emerging legal and policy issues; and redevelopment experiences and lessons learned on the road to reuse. Sessions this year's conference will be divided into three knowledge and experience levels. Conference attendees may register online using the Online Registration form found at <http://www.epa.gov/brownfields/>. *Additional information is available from the Brownfields '99 Hotline at 1(877) 343-5364.*

4<sup>th</sup> Annual Joint Services P2/Hazardous Waste Management (HWM) Conference & Exhibition. The Fourth Annual Joint Services P2 Conference and Exhibition, "Environmental Stewardship for the Next Millennium," will be held **6-9 December 1999** in San Antonio, Texas. This year's event, which is being expanded to include HWM, will provide an open forum for exchanging ideas, success stories, case histories and technologies. The conference will cross federal, academia and industry boundary lines—opening channels for a combined effort to implement the essential P2/HWM objectives. The Joint Services Conference will be hosted by the Headquarters Air Force Center for Environmental Excellence, Brooks Air Force Base, Texas. Additional information on the conference is available on the Internet at <http://www.ndia.org/events/brochure/040/040.htm>.

## FEDERAL ACTIONS

### REGULATORY ACTIVITY -- U.S. ENVIRONMENTAL PROTECTION AGENCY

Hotline Update: RCRA, Superfund and EPCRA. U.S. EPA is extending the comment period for the proposed Toxic Release Inventory (TRI) Lead Rule (entitled, "Lead and Lead Compounds; Lowering of Reporting Thresholds; Community Right-to-Know; Toxic Chemical Release Reporting"). Currently, facilities are not required to report their lead and lead compound releases to the air, water, and land unless they manufacture or process more than 25,000 pounds annually or use more than 10,000 pounds annually. Under this proposal, the reporting threshold would be lowered to 10 pounds per facility per year, which would substantially increase the amount of information made available to the public. The rule was originally published in the Federal Register on 3 August 1999 (64 FR 42221), and the comment period was scheduled to end on 17 September 1999. The new deadline for submitting comments on the TRI lead proposal is now 1 November 1999. The proposed rule is available through the TRI web site at <http://www.epa.gov/opptintr/tri/>.

U.S. EPA Proposed Rule: Proposed Revisions to the Water Quality Planning and Management Regulation (64 FR 46011). This proposed rule revises, clarifies and strengthens U.S. EPA's current regulatory requirements for establishing Total Maximum Daily Loads (TMDLs) under the Clean Water Act. The proposed rule will provide states, territories and authorized tribes with the necessary information to identify impaired waters and to establish

TMDLs to restore water quality. The proposed rule clarifies and strengthens how TMDLs are established so they can more effectively contribute to improving the nation's water quality. Through this proposal, states, territories and authorized tribes can tailor their water quality programs to address the characteristics, problems, risks, and implementation tools available in individual watersheds, with meaningful involvement of stakeholders in the local community. Comments on this proposal must be submitted on or before 22 October 1999. U.S. EPA is also proposing a companion rule amending National Pollutant Discharge Elimination System (NPDES) and water quality standards regulations to better support establishment of TMDLs (see proposed rule below, 64 FR 46057). *For further information contact: Hazel Groman; U.S. EPA, Office of Wetlands, Oceans and Watersheds; (202) 401-4078.*

U.S. EPA Proposed Rule: Revisions to the NPDES Program and Federal Antidegradation Policy in Support of Revisions to the Water Quality Planning and Management Regulation (64 FR 46057). This proposed rule revises, clarifies and strengthens U.S. EPA's NPDES Program and Water Quality Standards Regulation under the CWA. The rule is intended to achieve two objectives. The first objective is to achieve reasonable further progress toward attaining water quality standards in impaired waterbodies prior to U.S. EPA approval or establishment of a TMDL. The second objective is to achieve reasonable assurance that an established TMDL will be implemented. To achieve these objectives, U.S. EPA is proposing explicit language describing its discretionary authority to object to and reissue, if necessary, state-issued expired and administratively-continued permits authorizing discharges into impaired waterbodies in the absence of an U.S. EPA approved or established TMDL, and into impaired waterbodies with established and approved TMDLs. U.S. EPA is also proposing to require that selected dischargers offset any increase in mass loadings of a pollutant(s) causing the nonattainment of water quality standards in an amount that would result in reasonable further progress toward attainment of water quality standards, and is proposing explicit language describing the authority of both U.S. EPA and states with approved NPDES programs to designate certain currently unregulated sources as sources that would require an NPDES permit. Comments on this proposal must be received, postmarked or delivered by hand no later than 22 October 1999. *For further information contact: Kim Kramer (NPDES provisions) or Susan Gilbertson (water quality standards provisions); U.S. EPA; (202) 260-9541 or (202) 260-73-1, respectively; e-mail: [Kramer.Kim@epa.gov](mailto:Kramer.Kim@epa.gov) or [Gilbertson.Sue@epa.gov](mailto:Gilbertson.Sue@epa.gov).*

U.S. EPA Proposed Rule; Notice of Extension of Public Comment Period: Streamlining the General Pretreatment Regulations for Existing and New Sources of Pollution (64 FR 47755). U.S. EPA is providing notice that the public comment period for the proposed rule that would revise several provisions of the General Pretreatment Regulations for Existing and New Sources of Pollution (40 CFR Part 403) published in the Federal Register on 22 July 1999 (64 FR 39563) is being extended. Written comments on this proposed rule must now be submitted on or before 19 November 1999. *For further information contact: Jeffrey Smith; U.S. EPA, Office of Wastewater Management; (202) 260-5586.*

U.S. EPA Notice: Final Guidance on Environmentally Preferable Purchasing for Executive Agencies (64 FR 45809). U.S. EPA is announcing the availability of a general guidance designed to assist executive agencies in identification and acquisition of environmentally preferable products and services. The final guidance is in response to Section 503 of Executive Order (EO) 13101, entitled "Greening the Government Through Waste Prevention, Recycling and Federal Acquisition" (63 FR 49641, 16 September 1998), which requires U.S. EPA to issue guidance to address environmentally preferable purchasing by the federal government. The guidance is designed to assist executive agencies with the implementation of the environmentally preferable purchasing provisions of EO 13101 and Section 23.704 of the Federal Acquisition Regulations. The implementation of this guidance will result in increased purchases by the federal government of products and services that minimize harmful effects on human health and the environment. *For further information contact: Eun-Sook Goidel; U.S. EPA, Office of Pollution Prevention and Toxics; (202) 260-3296; fax (202) 260-0178; e-mail: [goidel.eunsook@epa.gov](mailto:goidel.eunsook@epa.gov).*

#### REGULATORY ACTIVITY -- U.S. FISH AND WILDLIFE SERVICE (USFWS)

USFWS Final Rule: Endangered and Threatened Wildlife and Plants; Final Rule to Remove the American Peregrine Falcon from the Federal List of Endangered and Threatened Wildlife, and to Remove the Similarity of Appearance Provision for Free-Flying Peregrines in the Conterminous United States (64 FR 46541). The USFWS has determined that the American peregrine falcon (*Falco peregrinus anatum*) is no longer an endangered or threatened species pursuant to the Endangered Species Act (ESA). This determination is based on available data indicating that this subspecies has recovered following restrictions on organochlorine pesticides in the United States and Canada, and following the implementation of successful management activities. This action will remove the American peregrine falcon throughout its range as an endangered species from the Federal List of Endangered and Threatened Wildlife, thereby removing all protections provided by the ESA. It will also remove the designation of "endangered due to similarity of appearance" for any free-flying peregrine falcons within the 48 conterminous United States. It will not affect protection provided to this species by the Migratory Bird Treaty Act, the

Convention on International Trade in Endangered Species of Wild Fauna and Flora, or state laws and regulations, nor will it affect the endangered listing status of the Eurasian peregrine falcon (*Falco peregrinus peregrinus*) under the ESA. This final rule was effective 25 August 1999. *For further information contact: Robert Mesta; USFWS, Ventura Fish and Wildlife Office; (805) 644-1766; fax (805) 644-3958. (Editor's Note: Falco peregrinus anatum and/or Falco peregrinus peregrinus occur on or contiguous to the following Army installations in Regions VI and VII: Ft. Riley and Sunflower Army Ammunition Plant in Kansas, and Ft. Bliss and Ft. Hood in Texas. A monitoring plan was provided in the proposed delisting rule on 26 August 1998 (64 FR 45446). The USFWS is currently developing a revised monitoring plan, which will be made available for public review in the Federal Register in the near future.)*

USFWS Notice: Endangered and Threatened Wildlife and Plants; Reopening of Comment Period for 90-Day Finding on a Petition to List the Black-Tailed Prairie Dog (64 FR 53655). The USFWS is providing notice that it is reopening the comment period on the 90-day finding on a petition to list the black-tailed prairie dog to receive additional information on the status of this species. All interested parties are invited to comment on a draft Conservation Assessment and Strategy and its potential influence on the status of the black-tailed prairie dog. The document can be obtained on the Internet at <http://www.r6.fws.gov/btprairiedog/>. Comments will be accepted until 3 November 1999. *For further information contact: Pete Gober, Field Supervisor; USFWS, South Dakota Ecological Services Field Office; (605) 224-8693, ext. 24; fax (605) 224-9974. (Editor's Note: The black-tailed prairie dog occurs within the states of New Mexico, Oklahoma, and Texas in Region VI, and in Kansas and Nebraska in Region VII.)*

## KEY ENVIRONMENTAL COMPLIANCE DATES

15 Oct	Deadline for facilities subject to toxic chemical release reporting requirements under 40 CFR Part 372 to submit revisions to Form R data previously reported if the owner or operator wishes publicly available data to reflect those revisions.	EPCRA: 40 CFR 372	56 FR 48796; 9/26/91 as amended by 59 FR 41444; 8/12/94
22 Oct	Deadline for existing sources subject to organic hazardous air pollutant emission controls under 40 CFR Part 63, Subpart H, for equipment leaks from Groups II or IV chemical process units to submit to U.S. EPA the semiannual report described under 40 CFR 63.182(d)(2)-(4).	CAA: 40 CFR 63.182(d)(1)	59 FR 19586; 4/22/94 as amended by 60 FR 18030; 4/10/95
23 Oct	Deadline for existing sources with valves in gas/vapor service and in light-liquid service that are subject to organic hazardous air pollutant emission controls under 40 CFR Part 63, Subpart H, for equipment leaks from Group V chemical process units and that elect to comply with alternative quality improvement plans described under 40 CFR 63.175(d)-(e) to complete an analysis of valve data and conduct initial performance trials on such valves.	CAA: 40 CFR 63.175(e)(5)(v) and 63.175(e)(6)(iv)	59 FR 19578; 4/22/94
24 Oct	Deadline for existing sources with valves in gas/vapor service and in light-liquid service that are subject to organic hazardous air pollutant emission controls under 40 CFR Part 63, Subpart H, for equipment leaks from Group III chemical process units and that elect to comply with alternative quality improvement plans described under 40 CFR 63.175(d)-(e) to identify valve designs or technologies that operate with low emission performance for specific applications within the process units.	CAA: 40 CFR 63.175(e)(6)(iv)	59 FR 19578; 4/22/94

## REGION VI STATE ACTIVITY

### ARKANSAS

### Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2001.)



STATE REGULATORY ACTIVITY (No significant activity for this period.)

(NOTE: General information regarding the Arkansas Department of Environmental Quality (ADEQ) and its various programs, including access to draft and final regulations, is available on the Department's web site at <http://www.adeq.state.ar.us/>.)

## LOUISIANA

## Legislative/Regulatory Activity

### FEDERAL ACTIONS

U.S. EPA Immediate Final Rule; Proposed Rule: Final Authorization of State Hazardous Waste Management Program Revisions for State of Louisiana (64 FR 46302/46332). The State of Louisiana has applied for final authorization to revise its Hazardous Waste Program under RCRA. U.S. EPA has determined that these changes satisfy all requirements needed to qualify for final authorization. U.S. EPA reviewed Louisiana's application and now makes an immediate final decision, subject to receipt of adverse written comment, that Louisiana's Hazardous Waste Program revision satisfies all of the requirements necessary to qualify for final authorization. Consequently, U.S. EPA intends to grant Louisiana final authorization for the program modifications contained in the revision. The immediate final rule is effective 25 October 1999 without further notice, unless U.S. EPA receives relevant adverse comments by 24 September 1999. *For further information contact: Alima Patterson; U.S. EPA Region VI, Multimedia Planning and Permitting Division; (214) 665-8533. (Editor's Note: This rule pertains to revisions to land disposal restrictions.)*

U.S. EPA Immediate Final Rule; Proposed Rule: Final Authorization of State Hazardous Waste Management Program Revisions; Louisiana (64 FR 48099/48135). The State of Louisiana has applied for final authorization to revise its Hazardous Waste Program under RCRA. U.S. EPA has determined that these changes satisfy all requirements needed to qualify for final authorization. U.S. EPA reviewed Louisiana's application, and now makes an immediate final decision, subject to receipt of adverse written comment, that Louisiana's Hazardous Waste Program revision satisfies all of the requirements necessary to qualify for final authorization. Consequently, U.S. EPA intends to grant Louisiana final authorization for the program modifications contained in the revision. This action is effective 1 November 1999 without further notice, unless U.S. EPA receives relevant adverse comments by 4 October 1999. *For further information contact Alima Patterson; U.S. EPA Region VI, Multimedia Planning and Permitting Division; (214) 665-8533. (Editor's Note: This rule pertains to revisions to land disposal restrictions and other rules, including the Military Munitions Rule.)*

STATE LEGISLATIVE ACTIVITY (Next regular session begins in April 2000.)

### STATE FINAL RULES

Toxic Emission Control (25 LAR 1463-5). Final rule of the Louisiana Department of Environmental Quality (LDEQ), Air Quality Division (AQD), amends regulations under 33 LAC III.5116, .5122, and .5311 regarding the comprehensive toxic air pollutant emission control program. The rule incorporates by reference additional National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations under 40 CFR 61 and 63, revised as of 1 July 1998, to mirror federal regulations and preserve the state's delegation of authority from U.S. EPA. The rule was effective 20 August 1999. *For further information contact: Patsy Deaville; LDEQ, AQD; (225) 765-0399.*

Permit Applications (25 LAR 1465-6). Final rule of the LDEQ, Hazardous Waste Division, amends regulations under 33 LAC V.517, .519, .1109, .3001, and .4301 regarding permit applications, generators, boilers and industrial furnaces, and interim status for hazardous wastes and materials. The rule requires a professional engineer who certifies specific technical data to be registered in the state. The rule also corrects an omission of lamps and antifreeze from the list of universal wastes in provisions pertaining to the interim status of hazardous wastes. In addition, the rule deletes "conditionally exempt" where applied to small quantity generators. The rule was effective 20 August 1999. *For further information contact: Patsy Deaville; LDEQ, Investigations and Regulation Development Division (IRDD); (225) 765-0399.*

Pollutant Discharge Elimination System (25 LAR 1466-7). Final rule of the LDEQ, Water Pollution Control Division, amends regulations under 33 LAC IX.2301, .2531, and .2533 regarding the state pollutant discharge elimination system. The rule clarifies and updates incorporations by reference of federal regulations under 40 CFR 136 and 40 CFR 401, 402, and 404 through 471, revised 1 July 1998. The rule was effective 20 August 1999. *For further information contact: Patsy Deaville; LDEQ, IRDD; (225) 765-0399.*

## STATE PROPOSED RULES

Surface Water Quality Standards (25 LAR 1531-8). Proposed rule of the LDEQ, Office of Environmental Assessment (OEA), would amend regulations under 33 LAC IX.1105 through .1123 (nonconsecutive) to revise surface water quality standards in compliance with the federal three-year review requirement. The proposal would specify that the use of clean or ultra-clean techniques may be necessary in some situations; update several numerical criteria; update references for biomonitoring; revise the numerical criteria and designated uses table; and clarify the links between dissolved oxygen and the designated uses for fish and wildlife propagation. *For further information contact: Patsy Deaville; LDEQ, IRDD; (225) 765-0399.*

Federal Air Quality Standards (25 LAR 1538-40). Proposed rule of the LDEQ, OEA, would amend regulations under 33 LAC III.3003, .5116, and .5122 regarding air quality. The proposal would update incorporations by reference to federal standards under 40 CFR 60, 61, and 63 (64 FR 7457, 7463; 02/12/99) regarding New Source Performance Standards (NSPSs), NESHAPs, and national standards for hazardous air pollutants for major source categories. The proposal also would clarify the date of the revised standards incorporated by reference in 33 LAC 30 and 51. *For further information contact: Patsy Deaville; LDEQ, IRDD; (225) 765-0399.*

## STATE NOTICES

Sewage Sludge (25 LAR 1584-5). Notice announces the intention of the LDEQ, OEA, to adopt regulations in partial response to the state's assumption of the federal NPDES program. The proposal would establish standards for the use and disposal of sewage sludge generated during the treatment of domestic sewage, including standards for pollutant limits, management practices, operational standards, monitoring frequency, recordkeeping, and reporting. The proposal would also establish general requirements for sludge applied to the land, placed on a surface disposal site, or fired in an incinerator. In addition, the proposal would include pathogen and alternative vector attraction reduction requirements for sludge applied to the land or placed on a surface disposal site. *For further information contact: Kilren Vidrine; LDEQ, Office of Environmental Assistance; (225) 765-0534.*

(NOTE: Current regulatory information from the LDEQ, including notices of intent, emergency rules, and final rules, can be found on LDEQ's web site at <http://www.deq.state.la.us/>. Click on "Rules and Regulations" and "Additions to the Louisiana Register.")

## NEW MEXICO

## Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

## STATE FINAL RULES

Federal Standards (10 NMR 647-8). Final rule of the Environmental Improvement Board (EIB) would amend regulations under 20 NMAC 2.77, .78, .82, and .99 and repeal regulations under 20 NMAC 2.98 regarding transportation conformity, general conformity, NSPSs, NESHAPs, and maximum achievable control technology (MACT) standards for source categories for hazardous air pollutants. The rule revises provisions to comply with federal standards and the SIP, requires federally funded road projects to minimize or decrease vehicle traffic emissions, and sets forth that federal projects must not increase the frequency or severity of exceedances or violations of the national ambient air quality standards. The rule also incorporates by reference federal NSPSs and NESHAPs promulgated through 1 April 1999, and incorporates by reference federal requirements for MACT for source categories of hazardous air pollutants promulgated through 1 April 1999. The rule was effective 8 September 1999. *For further information contact: EIB; (505) 827-2850.*

## STATE PROPOSED RULES

Drinking Water Standards (10 NMR 637-8). Proposed rule of the EIB would amend regulations under 20 NMAC 7.1 to modify drinking water standards. The proposal would add the drinking water regulation filing history and update requirements for newly constructed community water systems and nontransient noncommunity water systems that commence operation after 1 October 1999. The proposal also would apply to systems with fewer than 15 connections currently that expand their infrastructure and grow to become a public water system. A hearing is scheduled for 12 November 1999 in Albuquerque. Comments are due 2 November 1999. *For further information contact: Richard Holland; EIB, Drinking Water Bureau; (505) 827-1400.*

## STATE NOTICES

NSPSs/NESHAPs (10 NMR 637). Notice of the Albuquerque/Bernalillo County Air Quality Control Board announces a hearing on and an extension of the comment period for a proposed rule (10 NMR 283; 05/28/99) that would amend regulations under 20 NMAC 11.63 and .64 to incorporate by reference new and amended NSPSs and NESHAPs issued from 1 July 1998 through 1 July 1999. The hearing is scheduled for 13 October 1999 in Albuquerque. Comments now are due 4 October 1999. *For further information contact: Michael Smith; Environmental Health Department; (505) 768-2600.*

(NOTE: General information regarding the New Mexico Environment Department (NMED) and its various programs, including regulations and permitting, is available on NMED's web site at <http://www.nmenv.state.nm.us/frhome.html>.)

## OKLAHOMA

## Legislative/Regulatory Activity

### FEDERAL ACTIONS

U.S. EPA Immediate Final Rule; Proposed Rule: Incorporation by Reference of State Hazardous Waste Management Program (64 FR 46567/46632). Under RCRA, U.S. EPA may grant states final authorization to operate their hazardous waste management programs in lieu of the federal program. U.S. EPA uses Part 272 of Title 40 of the Code of Federal Regulations (CFR) to provide notice of the authorization status of state programs and to incorporate by reference those provisions of the state statutes and regulations that are part of the authorized state program. Thus, U.S. EPA intends to revise and incorporate by reference the Oklahoma authorized state program in 40 CFR Part 272. The purpose of this immediate final rule is to incorporate by reference into the CFR the currently authorized state hazardous waste program in Oklahoma and to correct technical errors made in the table of authorities published in the 22 September 1998 (64 FR 50528) authorization notice for Oklahoma. This immediate final rule is effective 25 October 1999 without further notice, unless U.S. EPA receives relevant adverse comments by 27 September 1999. *For further information contact: Alima Patterson; U.S. EPA Region VI; Multimedia Planning and Permitting Division; (214) 665-8533.*

STATE LEGISLATIVE ACTIVITY (Next regular session begins in February 2000.)

### STATE EMERGENCY RULES

Federal Standards (16 OKR 3484-6). Emergency rule of the Oklahoma Department of Environmental Quality (ODEQ) amends regulations under OAC 252:205-3-2 and -3 to correct errors and clarify requirements found in the 1 July 1998 40 CFR, which have been incorporated by reference by the department. The rule was effective 3 August 1999 and expires 14 July 2000, unless superseded by another rule or disapproved by the legislature. *For further information contact: Jerry Sanger; ODEQ; (405) 702-7189.*

### STATE PROPOSED RULES

Uniform Permitting Procedures (16 OKR 3475). Proposed rule of the ODEQ would amend regulations under OAC 252:2-15-52, -53, and -54 concerning uniform permitting procedures. The proposal would support the state's application to the Nuclear Regulatory Commission by adding state agreement licenses to tier classifications for radiation management applications. The proposal also would reflect changes made in the department's review and revision of radiation management standards under OAC 252:400. A hearing was scheduled for 30 September 1999 in Oklahoma City and a second hearing is scheduled for 16 November 1999 in McAlester. *For further information contact: Mike Broderick; ODEQ; (405) 702-5100.*

Radiation Management (16 OKR 3475-6). Proposed rule of the ODEQ would repeal regulations under OAC 252:400 concerning radiation management. The proposal would revoke the requirements after the radiation management rules are adopted under a new Chapter OAC 252:410. A hearing was scheduled for 30 September 1999 in Oklahoma City and a second hearing is scheduled for 16 November 1999 in McAlester. *For further information contact: Mike Broderick; ODEQ; (405) 702-5100.*

Radiation Management (16 OKR 3476-7). Proposed rule of the ODEQ would adopt regulations under a new Chapter OAC 252:410 to reflect a department review of radiation management standards. The proposal would

support the state's application to the Nuclear Regulatory Commission for state agreement status. The proposal also would include the NESHAPs for radionuclides. A hearing was scheduled for 30 September 1999 in Oklahoma City and a second hearing is scheduled for 16 November 1999 in McAlester. *For further information contact: Mike Broderick; ODEQ; (405) 702-5100.*

Air Pollution Control (OAR Docket #99-1302). Proposed rule of the ODEQ would amend regulations under Subchapters 4, 35, 41, and 47 of OAC 252:100 concerning NSPSs, Control of Emission of Carbon Monoxide, Control of Emission of Hazardous and Toxic Air Contaminants, and Control of Emissions from Existing Municipal Solid Waste Landfills. Hearings are scheduled for 19 October and 16 November 1999 in Tulsa and McAlester, respectively. Comments will be accepted prior to and at the hearing on 19 October. *For further information contact: Michelle Martinez (Subchapters 4 and 35), Joyce Sheedy (Subchapter 41), or Cheryl Bradley (Subchapter 47); ODEQ; (405) 702-4100.*

Air Pollution Control (OAR Docket #99-1303). Proposed rule of the ODEQ would amend regulations under Subchapters 5, 9, 13, 19, 21, and 27 of OAC 252:100 concerning Registration, Emission Inventory and Annual Operating Fees; Excess Emission and Malfunction Reporting Requirements; Prohibition of Open Burning; Particulate Matter Emissions from Fuel-Burning Equipment; Particulate Matter Emissions from Wood-Waste Burning Equipment; and Particulate Matter Emissions from Industrial and Other Processes and Operations. Hearings are scheduled for 19 October and 16 November 1999 in Tulsa and McAlester, respectively. Comments will be accepted prior to and at the hearing on 19 October. *For further information contact: Jeanette Buttram (Subchapters 5, 9, and 13) or Max Price (Subchapters 19, 21, and 27); ODEQ; (405) 702-4100.*

Solid Waste Management (OAR Docket #99-1306). Proposed rule of the ODEQ would repeal regulations under OAC 252:520 concerning solid waste management as part of the re-right/de-wrong process. The proposal would eliminate provisions and relocate other provisions under a proposed new Chapter OAC 252:530 regarding solid waste management standards. Hearings are scheduled for 21 October and 16 November 1999 in Stillwater and McAlester, respectively. Comments are due 15 October 1999. *For further information contact: Jon Roberts; ODEQ; (405) 702-5100.*

#### STATE GENERAL INFORMATION

Solid and Hazardous Waste Management Training. The Oklahoma State University Engineering Extension will sponsor two training sessions on 18 October 1999 in Stillwater, Oklahoma. The theme of the morning session will be "Introduction to Hazardous Materials Management"; the afternoon session will discuss "Management of Solid and Hazardous Waste." *For further information contact: Brandy Leach or George Collington; (405) 744-5714.*

(NOTE: General information regarding the ODEQ and its various programs, including access to rules and regulations, is available on ODEQ's web site at <http://www.deq.state.ok.us/>.)

### TEXAS

#### *Legislative/Regulatory Activity*

#### FEDERAL ACTIONS

U.S. EPA Immediate Final Rule; Proposed Rule: Final Authorization and Incorporation by Reference of State Hazardous Waste Management Program (64 FR 49673/49757). Texas has revised its Hazardous Waste Program under RCRA and has made conforming changes to make its regulations internally consistent and more consistent with the federal requirements. U.S. EPA has reviewed the Texas Natural Resource Conservation Commission's (TNRCC) revisions to its program and has determined that the Texas Hazardous Waste Program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, U.S. EPA intends to revise and incorporate by reference the Texas authorized state program in Part 272 of Title 40 of the CFR (40 CFR Part 272). Unless adverse written comments are received during the review and comment period, U.S. EPA's decision to approve Texas' Hazardous Waste Program revision will take effect 15 November 1999. *For further information contact: Alima Patterson; U.S. EPA Region VI, Multi-Media Planning and Permitting Division; (214) 665-8533.*

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2001.)



## STATE FINAL RULES

Waste Minimization and Recycling (24 TXR 6761-79). Final rule of the TNRCC adopts regulations under new Sections 30 TAC 328.1 through .105 (nonconsecutive) regarding waste minimization and recycling. The rule establishes provisions governing purpose, recycling, reuse and materials recovery, and management of lead-acid batteries. The rule also establishes provisions for used oil filter collection, management, and recycling; grants pertaining to the collection, reuse, and recycling of used oil; management of used or scrap tires; and newsprint recycling. The rule was effective 5 September 1999. *For further information contact: Wayne Lee; TNRCC, Waste Policy and Regulations Division (WPRD); (512) 239-6815.*

Municipal Solid Waste (24 TXR 6779-90, 6856-7). Final rule of the TNRCC amends regulations under 30 TAC 330.381 through .897 (nonconsecutive), repeals regulations under 30 TAC 330.382 through .1205 (nonconsecutive), and adopts regulations under new Sections 30 TAC 330.382 through .389 concerning municipal solid waste. The rule updates and clarifies provisions governing the solid waste technician training and certification program, landfill mining, and fees and reporting. The rule also revises provisions pertaining to memoranda of agreement with other agencies, management of used or scrap tires, and assistance grants and contracts. In addition, the rule affects provisions regarding grants for the collection, reuse, and recycling of used oil; waste tire recycling and energy recovery grants; and waste minimization and recyclable materials. The rule was effective 5 September 1999. *For further information contact: Wayne Lee; TNRCC, WPRD; (512) 239-6815.*

## STATE PROPOSED RULES

Spills and Accidental Discharges (24 TXR 6243-6). Proposed rule of the TNRCC would adopt regulations under new Sections 30 TAC 319.301, .302, and .303 concerning public notice of spills or accidental discharges from wastewater facilities owned or operated by local governments. The proposal would define "local media," "appropriate local government officials," "spill," and "local government." The proposal also would set forth the conditions under which a facility operator must notify local officials and local media that a spill has occurred, outline the conditions for reporting spills that contaminate drinking water supplies, and set forth the form for the notice to be given to local officials and local media. *For further information contact: Jim Dodds; TNRCC; (512) 239-0970.*

Vehicle Emissions Inspection (24 TXR 6956). Proposed rule of the Texas Department of Public Safety (TDPS) would adopt regulations under a new Section 37 TAC 23.94 regarding the vehicle emissions inspection and maintenance program. The proposal would provide for circumstances under which the department may approve alternate vehicle emissions testing, including onboard diagnostic testing. *For further information contact: TDPS; (512) 424-2135.*

(NOTE: Current TNRCC regulatory information, including proposals, adoptions, and a rules tracking log, is available on TNRCC's web site at <http://www.tnrcc.state.tx.us/>.)

## REGION VII STATE ACTIVITY

### REGIONAL GENERAL INFORMATION

Region VII Environmental Initiatives Information. U.S. EPA Region VII has announced the availability of "Headliners," a new web-based tool that provides information about significant upcoming events in Region VII's Air, RCRA, and Toxics Divisions. Every three months, or more frequently if appropriate, Region VII will select 10 to 15 new items that may be of particular interest to industry, small businesses, environmental attorneys, consultants, state and local agencies, environmental groups, and the public. These items will be featured on the Headliners web site and will be linked to fact sheets and other web-based resources that provide clear, concise descriptions of the topics. Headliners provide a "heads up" on significant new rules and upcoming regulatory deadlines, meetings, workshops, and regional enforcement initiatives. The Headliners web site can be accessed directly at <http://www.epa.gov/region07/programs/artd/headliners/top10.htm>. *For further information contact: Cynthia Sehnert-Jones; U.S. EPA Region VII; (913) 551-7020; fax (913) 551-7065/7251.*

## IOWA

### State Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

## STATE FINAL RULES

Public/Private Drinking Water Supplies (22 IAAB 201-5). Final rule of the Iowa Department of Natural Resources (IDNR), Environmental Protection Commission (EPC), amends regulations under 567 IAC 40.1 through .7 governing public and private drinking water supplies, revises and adds numerous definitions, updates a mailing address, and deletes construction permit fee references. The rule revises public water supply operation permit application procedures to include the annual operation fee due date and reasons for denial of an operation permit. In addition, the rule adds drinking water state revolving loan fund application procedures and viability assessment procedures to conform to U.S. EPA standards. The rule was effective 15 September 1999. *For further information contact: Diane Moles; IDNR, Water Supply Section (WSS); (515) 281-8863.*

Maximum Containment Levels (22 IAAB 205-6). Final rule of the IDNR, EPC, amends regulations under 567 IAC 41.1 through .11 governing water supplies to conform to U.S. EPA requirements for coverage; analytical methods; minor technical corrections; and maximum containment levels (MCL) for arsenic, nitrate, and nickel. The rule specifies the applicability of the MCLs, remand the nickel MCL, and makes editorial and technical corrections. In addition, the rule updates the fluoride MCL requirements for schools and day care facilities; requires monthly monitoring for nitrate and nitrite in certain circumstances; moves reporting, public notification, and public education requirements to Chapter 567 IAC 42; and moves the best available technology tables to Chapter 567 IAC 43. The rule was effective 15 September 1999. *For further information contact: Diane Moles; IDNR, WSS; (515) 281-8863.*

Public Notification/Recordkeeping (22 IAAB 206-40). Final rule of the IDNR, EPC, adopts regulations under a new Chapter 567 IAC 42 setting forth requirements for public notification, public education, consumer confidence reports, and recordkeeping and reporting to conform to U.S. EPA standards. The rule complies with industry standards; standardizes the records retention period to five-year and 10-year increments; and requires public notification in certain instances, including cases of imminent risk to public health. In addition, the rule requires influenced ground water supplies and supplies that blend water sources to maintain compliance with a health-based standard to submit monthly operation reports and exempts noncommunity systems from self-monitoring requirements for notification-exchange and iron/manganese removal "off-the-shelf" treatment. The rule was effective 15 September 1999. *For further information contact: Diane Moles; IDNR, WSS; (515) 281-8863.*

Water Supply Design/Operation (22 IAAB 240). Final rule of the IDNR, EPC, amends regulations under 567 IAC 43.1 through .8 (nonconsecutive) regarding the design and operation of water supplies. The rule allows the use of point-of-use devices at noncommunity supplies for maximum containment level compliance, includes the minimum bottled water standard, updates engineering standards to reflect current practice, and makes editorial and technical corrections. The rule requires water system components to meet American National Standards Institute/National Sanitation Foundation Standard 61 and incorporates the new U.S. EPA viability assessment program, called capacity development. The rule was effective 15 September 1999. *For further information contact: Diane Moles; IDNR, WSS; (515) 281-8863.*

Aquifer Storage/Recovery (22 IAAB 240-3). Final rule of the IDNR, EPC, adopts regulations under a new Chapter 567 IAC 55 regarding aquifer storage and recovery and criteria and conditions for authorizing storage, recovery, and use of water. The rule adds definitions, establishes requirements for the practice of aquifer storage and recovery, and clarifies legal rights and obligations affecting permit holders. The rule was effective 15 September 1999. *For further information contact: Michael Anderson; IDNR; (515) 281-6599.*

*(NOTE: General information regarding the IDNR and its various programs, including a status report on proposed rules, draft rules, adopted rules awaiting publication, and recently adopted rules, is available on IDNR's web site at <http://www.state.ia.us/government/dnr/index.html>.)*

## KANSAS

## Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

## STATE NOTICES

Lead-Based Paint (LBP) Activities (18 KSR 1112). Notice of the Kansas Department of Health and Environment (KDHE) announces the intention to submit an application for authorization from U.S. EPA to administer and enforce certain provisions of the Toxic Substance Control Act (TSCA) that prescribe standards regarding the licensure of

business entities and public agencies, certification of individuals, accreditation of training programs, on-site inspections and requirements, notification and recordkeeping, and procedures and work practice standards relating to LBP activities. *For further information contact: Barry Brooks; KDHE; (785) 296-1500.*

## STATE GENERAL INFORMATION

Kansas Environmental Education Conference. The Kansas Environmental Education Conference will be held **5-6 November 1999** at the Holiday Inn Holidome in Salina, Kansas. The conference will be sponsored by the Kansas Association for Conservation and Environmental Education (KACEE). *For further information contact: Shari Wilson; KACEE; (913) 287-6879.*

(NOTE: General information regarding the KDHE and its various programs, including access to rules and regulations, is available on KDHE's web site at <http://www.kdhe.state.ks.us/>.)

## MISSOURI

### Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

#### STATE FINAL RULES

Particulate Matter Emissions (24 MOR 1967). Final rule of the Missouri Department of Natural Resources (MDNR), Air Conservation Commission, amends regulations under 10 MCSR 10-3.050 regarding restriction of particulate matter emissions from industrial processes. **The rule adds an exception for smoke generating devices to eliminate the need to issue variances for military training.** The rule is effective 30 September 1999. *For further information contact: Roger Randolph; MDNR, Air Pollution Control Program; (573) 751-4817.*

#### STATE PROPOSED RULES

Volatile Organic Compounds (VOCs)/Liquid Storage Vessels (24 MOR 2007-11). Proposed rule of the MDNR, Air Conservation Commission (ACC), would amend regulations under 10 MCSR 10-5.500 regarding the control of VOC emissions in the **St. Louis** ozone nonattainment area. The proposal would incorporate reasonably available control technology (RACT) pursuant to federal standards for installations with volatile organic liquid storage vessels. The proposal also would set forth definitions and requirements for reporting and recordkeeping and test methods. The proposal will be submitted to U.S. EPA as a revision to the state implementation plan (SIP). *For further information contact: Roger Randolph; MDNR, Air Pollution Control Program (APCP); (573) 751-4817.*

Nitrogen Oxides (NOx)/Boilers (24 MOR 2012-9). Proposed rule of the MDNR, ACC, would amend regulations under 10 MCSR 10-5.510 regarding the control NOx emissions in the **St. Louis** ozone nonattainment area. The proposal would require major sources of NOx to install and comply with RACT pursuant to the CAA, set forth maximum allowable emission rates for boilers, and require installations to comply no later than 1 May 2002. The proposal also would set forth definitions and requirements for reporting and recordkeeping and test methods. The proposal will be submitted to U.S. EPA as a revision to the SIP. *For further information contact: Roger Randolph; MDNR, APCP; (573) 751-4817.*

VOCs/Major Existing Sources (24 MOR 2020-4). Proposed rule of the MDNR, ACC, would amend regulations under 10 MCSR 10-5.520 regarding VOC emissions in the **St. Louis** ozone nonattainment area. The proposal would require existing major sources with the potential to emit more than 100 tons per year of VOCs to implement RACT pursuant to the CAA. The proposal will be submitted to U.S. EPA as a revision to the SIP. *For further information contact: Roger Randolph; MDNR, APCP; (573) 751-4817.*

VOCs/Batch Operations (24 MOR 2034-40). Proposed rule of the MDNR, ACC, would amend regulations under 10 MCSR 10-5.540 regarding VOC emissions in the **St. Louis** ozone nonattainment area. The proposal would incorporate RACT to limit emissions from batch process operations that have the potential to emit more than 100 tons per year of VOCs. The proposal will be submitted to U.S. EPA as a revision to the SIP. *For further information contact: Roger Randolph; MDNR, APCP; (573) 751-4817.*

VOCs/Reactor Processes and Distillation Operations (24 MOR 2041-8). Proposed rule of the MDNR, ACC, would amend regulations under 10 MCSR 10-5.550 to limit VOC emissions in the **St. Louis** ozone nonattainment

from reactor processes and distillation operations. The proposal will be submitted to U.S. EPA as a revision to the SIP. For further information contact: Roger Randolph; MDNR, APCP; (573) 751-4817.

(NOTE: General information regarding the MDNR and its various programs is available on MDNR's web site at <http://www.dnr.state.mo.us/homednr.htm>.)

## NEBRASKA

## Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

### STATE PROPOSED RULES

**Waste Management.** Proposed rule of the Nebraska Department of Environmental Quality (NDEQ) would amend regulations under 128 NAC 1 through 27 (nonconsecutive) regarding hazardous waste management. The proposal would incorporate new and revised test methods, clarify nonwaste water mixtures and solid waste exclusions, delete comparable fuels from the definition of solid waste, revise activities and generator requirements, and add an option to post-closure permits. The proposal also would revise application requirements, land disposal requirements, standards applicable to owners and operators of hazardous waste facilities, and organic air emission standards for tanks and containers. In addition, the proposal would revise definitions, make corrections, clarify language, and update references. For further information contact: NDEQ; (402) 471-2186. **(Region VII REC Comment: According to the NDEQ, this rule adopts changes already made by U.S. EPA in Federal Register notices last year. It is a follow-up to measures adopted by Nebraska in a regulatory action taken this past June. The rule, which will affect TSDs and generators, essentially maintains Nebraska's RCRA authorization from U.S. EPA. The most significant aspect of the rule may be the portion pertaining to testing and monitoring.)**

**Surface Water Standards.** Proposed rule of the NDEQ would amend regulations under 117 NAC 1 through 9 (nonconsecutive); repeal regulations under 117 NAC 5; and renumber 117 NAC 6, 7, 8, and 9 regarding surface water quality standards. The proposal would revise water quality criteria for certain chemicals, including ammonia, atrazine, and arsenic; add threatened and endangered species; add and correct legal locations for stream segments and beneficial use designations; add a new lake; and revise definitions. For further information contact: NDEQ; (402) 471-2186. **(Region VII REC Comment: Consultation with the NDEQ indicates that this rule constitutes its triennial review of water quality standards and, as such, is fairly innocuous. The two endangered species mentioned in the rule are not indigenous to water bodies located near any military installation in the state. The only potential impact that the NDEQ can see for military installations/facilities in Nebraska is that any facility having an NPDES permit for wastewater may have its permit modified as it pertains to ammonia. The NDEQ considers this to be very minor, however, and feels that the proposed rule merely adopts the current state of the art in this area.)**

(NOTE: General information regarding the NDEQ and its various programs, including access to rules and regulations, is available on NDEQ's web site at <http://www.deq.state.ne.us/>.)

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*The Central Region Review is prepared by Versar, Inc., in support of the CREO, to assist you in your compliance efforts. Questions regarding this document should be directed to Ms. Marsha Brustad, CREO Environmental Specialist, at (816) 983-3444 or fax at (816) 426-7414. Legal questions should be directed to Mr. G.T. Zolyak, Regional Counsel, at (410) 436-1275 or fax at (410) 436-1670. Current and past issues of CREO regulatory updates are available on the Internet at <http://aec.army.mil/> under "Regional Offices."*



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